UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Allen Aikens,

                    Plaintiff,   Case No. 23-12435

v.

                                   Judith E. Levy
                                   United States District Judge

Aaron Lashley,[1] *et al.*,

                                   Mag. Judge Kimberly G. Altman

                    Defendants.

_____/

ORDER ADOPTING REPORT AND RECOMMENDATION [14]

Before the Court is Magistrate Judge Kimberly G. Altman's Report

and Recommendation recommending the Court deny Plaintiff's motion

for a preliminary injunction and a temporary restraining order.[2] (ECF

No. 14.) The parties were required to file specific written objections, if

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[1] At the time of filing the complaint, Plaintiff was unaware of Defendant Lashley's first name. (ECF No. 1, PageID.2.) Defendants' motion to dismiss and for summary judgment clarifies Defendant Lashley's full name.

[2] Plaintiff's motion requested a preliminary injunction. (ECF No. 3, PageID.14–16.) The Report and Recommendation explains that "[a] preliminary injunction cannot be issued before the defendants are served." (ECF No. 14, PageID.45.) Even if Plaintiff had brought a motion for a temporary restraining order, the motion would be denied for the reasons set forth in the Report and Recommendation. (*Id.* at PageID.46–47.)

any, within 14 days of service. Fed. R. Civ. P. 72(b)(2); E.D. Mich. L.R. 72.1(d). No objections were filed. The Court has nevertheless carefully reviewed the Report and Recommendation and concurs in the reasoning and result.

Accordingly, the Report and Recommendation (ECF No. 14) is ADOPTED, and Plaintiff's motion for preliminary injunction (ECF No. 3) is DENIED.

IT IS SO ORDERED.

Dated: June 6, 2024　　　　　　　　　　s/Judith E. Levy
Ann Arbor, Michigan　　　　　　　　　 JUDITH E. LEVY
　　　　　　　　　　　　　　　　　　　　United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 6, 2024.

　　　　　　　　　　　　　　　　　　s/William Barkholz
　　　　　　　　　　　　　　　　　　WILLIAM BARKHOLZ
　　　　　　　　　　　　　　　　　　Case Manager